

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	
	)	
\$26,023.00 IN U.S. CURRENCY SEIZED	)	
DURING THE EXECUTION OF A	)	
SEARCH WARRANT ON APRIL 10,	)	
2018,	)	
	)	
Defendant.	)	

**COMPLAINT IN FORFEITURE**

NOW COMES plaintiff, the United States of America, by Justin E. Herdman, United States Attorney for the Northern District of Ohio, and James L. Morford, Assistant U.S. Attorney, and files this Complaint in Forfeiture, respectfully alleging as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

**JURISDICTION AND INTRODUCTION**

1. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. Section 1345, and over an action for forfeiture under 28 U.S.C. Section 1355(a). This Court also has jurisdiction over this particular action under 21 U.S.C. Section 881(a)(6).

2. This Court has *in rem* jurisdiction over the defendant currency pursuant to: (i) 28 U.S.C. Section 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) 28 U.S.C. Section 1355(b)(1)(B), incorporating 28 U.S.C. Section 1395, because the action accrued in this district.

3. Venue is proper in this district pursuant to: (i) 28 U.S.C. Section 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) 28 U.S.C. Section 1395 because the action accrued in this district.

4. This Court will have control over the defendant currency through service of an arrest warrant *in rem*, which the United States Marshals Service will execute upon the defendant currency. *See*, Supplemental Rule G(3)(b) and G(3)(c).

5. On April 10, 2018, Special Agents and Task Force Officers of the Drug Enforcement Administration (DEA) – in conjunction with the Cuyahoga County Sheriff's Office - seized the defendant \$26,023.00 in U.S. Currency (hereinafter, the “defendant currency”) at Room 410 of the WoodSpring Suites hotel, located at 1610 Moore Road, Avon, Ohio. The seizure was made pursuant to the execution of a search warrant.

6. The defendant currency is now in the custody of the United States Marshals Service.

7. The DEA commenced an administrative forfeiture proceeding against the defendant currency. A claim to the defendant currency was submitted in the administrative forfeiture proceeding by Matthew Said, thereby requiring the filing of this judicial forfeiture action.

8. The defendant currency is subject to forfeiture to the United States under 21 U.S.C. Section 881(a)(6) in that it constitutes proceeds from illegal drug trafficking activities,

and/or was used or was intended to be used in exchange for illegal controlled substances, and/or was used or was intended to be used to facilitate illegal drug trafficking activities.

**MATTHEW SAID'S CRIMINAL (DRUG) HISTORY AND PRIOR FORFEITURES  
INVOLVING MATTHEW SAID**

9. On September 12, 2007, Matthew Said entered a guilty plea to the following charge in Case No. CR-07-494237, Cuyahoga County Court of Common Pleas: Drug Possession (count 2 - felony 1), in violation of O.R.C. § 2925.11. The Court imposed a prison sentence at the Lorain Correctional Institution of three (3) years.

10. Also in Case No. CR-07-494237, Cuyahoga County Court of Common Pleas, the following properties were forfeited: 9mm handgun, cell phone, and a scale.

11. On February 11, 2013, Matthew Said entered a guilty plea to the following charges in Case No. CR-12-567504, Cuyahoga County Court of Common Pleas:

- a.) Trafficking Offense [(amended) count 5 - felony 2], in violation of O.R.C. Section 2925.03 A(2).
- b.) Having Weapons While Under Disability (count 9 – felony 3), in violation of O.R.C. § 2923.13 A(3).

12. Defendant Said was sentenced in Case No. CR-12-567504 to five (5) years on Count 5 and to 36 months on Count 9, to run concurrent with each other for a total prison term at the Lorain Correctional Institution of five (5) years. Additionally, *inter alia*, the Court ordered the forfeiture of the following properties to the State of Ohio: \$11,159.00 U.S. Currency, a 2003 Jaguar, \$800.00 U.S. Currency, and four (4) firearms.

13. Post release control was ordered in Case No. CR-12-567504. In this regard, an Indictment was returned against Matthew Said on July 18, 2018, which charged him with Escape (felony 4), in violation of O.R.C. § 2921.34(A)(3). *See*, Case No. 630139-18-CR, Cuyahoga County Court of Common Pleas.

## FORFEITURE

14. On April 10, 2018, agents/investigators of the DEA Cleveland District Office (CDO) and the Cuyahoga County Sheriff's Office (CCSO) used a confidential source to purchase one (1) ounce of cocaine from Matthew Said and another for \$950.00. It was determined that Said was the source of supply for the cocaine.

15. Following this transaction, Said was followed by investigators to the WoodSpring Suites (Room 410), located at 1610 Moore Road, Avon, Ohio. At approximately 9:30 p.m. on April 10, 2018, a state search warrant was executed at Room 410.

16. CDO investigators knocked and announced their presence and the existence of a search warrant for Room 410. This "knock and announce" was not acknowledged.

17. After a reasonable amount of time, initial entry into Room 410 was attempted through the use of a master key. However, this attempt was unsuccessful because Room 410 was locked from the inside. CDO investigators determined to forcibly gain entry into Room 410 by the use of a door ram.

18. Upon a successful breach of the entry door – and an additional announcement of their presence – CDO investigators then encountered a locked bathroom door.

19. It was immediately apparent to CDO investigators that Said had locked himself in the bathroom and was attempting to dispose of cocaine by flushing it down the toilet. At this time, investigators forcibly breached the bathroom door.

20. Upon breaching the bathroom door, CDO investigators encountered Said standing in the bathroom, leaning over the toilet, and holding a plastic bag containing an unknown quantity of cocaine. Investigators attempted to detain Said. Said forcibly resisted. As a result, a

quantity of (powder) cocaine was thrust into the air, which created a hanging cloud of (powder) cocaine that enveloped all investigators present.

21. Both the CDO investigators and Said ended up on the floor. Said continued to actively and forcefully resist the efforts of the investigators to detain him. As a result of the struggle, and with the safety of the investigators paramount, an investigator deployed his Taser. Said ceased his resistance, and investigators were able to detain him without further incident.

22. Said was assisted to his feet and taken into a hallway, away from the bathroom and the cocaine "cloud". When asked if he was injured, Said stated "No, my leg just hurts." EMS was called to evaluate Said.

23. Said was advised of his *Miranda* rights, which he indicated he understood and was willing to waive.

24. Said was asked if the powder was "fentanyl, heroin or cocaine". Said replied it was "coke".

25. At this time, Said was advised of the search warrant for the hotel room and was given an overview of the investigation. Said agreed to speak with law enforcement.

26. Among other things, Said stated the following during the interview:

- a.) He was introduced to a person living in Chicago. Said described the person as a Mexican male (hereinafter, "the male").
- b.) Said contacted the male by phone and arranged to purchase one kilogram of cocaine. Said stated that he drove to Chicago, met with the male, and was fronted one kilogram of cocaine.
- c.) Said had the cocaine transported from Chicago to Cleveland, where he (Said) took possession of the cocaine and sold it.
- d.) About a week ago, he drove back to Chicago, where he again met with the male. Said paid the male approximately \$30,000.00 and received two (2) additional kilograms of cocaine. Said again had the cocaine transported back to Cleveland, where he (Said) took possession of it.

- e.) He had sold about \$24,000.00 worth of the cocaine so far and the profit from those sales was located inside of the hotel room. Said stated that he had over one kilogram of cocaine left and that was what he was attempting to flush down the toilet as agents entered the room.
  - f.) Said stated that he owed the male approximately \$60,000.00 for the two kilograms, and that he was attempting to sell one kilogram of the cocaine to an individual.
  - g.) Said stated that he usually only sells ounces of cocaine at a time.
27. Avon FD EMS arrived on scene and examined Said. Said refused treatment or transport to the hospital.
28. CDO investigators searched Room 410 for items related to the trafficking of drugs. Among other things, the investigators seized the following items:
- a.) \$24,980.00 U.S. Currency was recovered from inside a Rubbermaid storage container located in the bedroom portion of the hotel room.
  - b.) \$1,043.00 U.S. Currency was recovered from the kitchenette counter.
  - c.) Three (3) Ziploc bags containing cocaine were recovered on the bathroom floor. The bags contained approximately 27.84 grams, 188.90 grams, and 8.35 grams of cocaine, respectively.
  - d.) Two digital scales were recovered in the bottom dresser drawer.
  - e.) One digital scale was recovered from the bedroom desk.
  - f.) Two cell phones were recovered from the bedroom end table.
29. Other than law enforcement personnel, Said was the only person present during the execution of the search warrant on April 10, 2018, and was the renter of Room 410.
30. The defendant \$26,023.00 in this case is the total of: (i) the \$24,980.00 U.S. Currency recovered from inside the Rubbermaid storage container [¶ 28(a)]; plus, (ii) the \$1,043.00 U.S. Currency recovered from the kitchenette counter [¶ 28(b)].

31. The \$1,043.00 U.S. Currency recovered from the kitchenette counter was found to contain \$150.00 of “buy money” from the April 10, 2018, controlled cocaine purchase described in paragraph 14, above.

32. The breakdown of the defendant \$26,023.00 is as follows: 53 (\$100) bills, 61 (\$50) bills, 883 (\$20) bills, 1 (\$10) bill, and 3 (\$1) bills.

33. \$20 bills frequently are used to conduct illegal drug transactions.

34. On June 19, 2018, an eight-count Indictment was returned against Matthew Said in Case No. 629623-18-CR, Cuyahoga County Court of Common Pleas. The Indictment was based upon the execution of the April 10, 2018 search warrant at Room 410 and, particularly, charged defendant Said as follows:

- Count 1: (Drug) Trafficking (felony 1), in violation of O.R.C. § 2925.03(A)(1).
- Count 2: (Drug) Trafficking (felony 1), in violation of O.R.C. § 2925.03(A)(2).
- Count 3: Drug Possession (felony 1), in violation of O.R.C. § 2925.11(A).
- Count 4: (Drug) Trafficking with Major Drug Offender Specification (felony 1), in violation of O.R.C. § 2925.03(A)(2).
- Count 5: Drug Possession with Major Drug Offender Specification (felony 1), in violation of O.R.C. § 2925.11(A).
- Count 6: Tampering With Evidence (felony 3), in violation of O.R.C. § 2921.12(A)(1).
- Count 7: Resisting Arrest (misdemeanor 2), in violation of O.R.C. § 2921.33(A).
- Count 8: Possessing Criminal Tools (felony 5), in violation of O.R.C. § 2923.24(A).

### **CONCLUSION**

35. By reason of the foregoing, the defendant \$26,023.00 in U.S. Currency is subject to forfeiture to the United States under 21 U.S.C. § 881(a)(6) in that it constitutes proceeds from illegal drug trafficking activities, and/or was used or was intended to be used in exchange for

illegal controlled substances, and/or was used or was intended to be used to facilitate illegal drug trafficking activities.

WHEREFORE, plaintiff, the United States of America, requests that this Court enter judgment condemning the defendant currency and forfeiting it to the United States, and providing that the defendant currency be delivered into the custody of the United States for disposition according to law, and for such other relief as this Court may deem proper.

Respectfully submitted,

Justin E. Herdman  
U.S. Attorney, Northern District of Ohio

By:

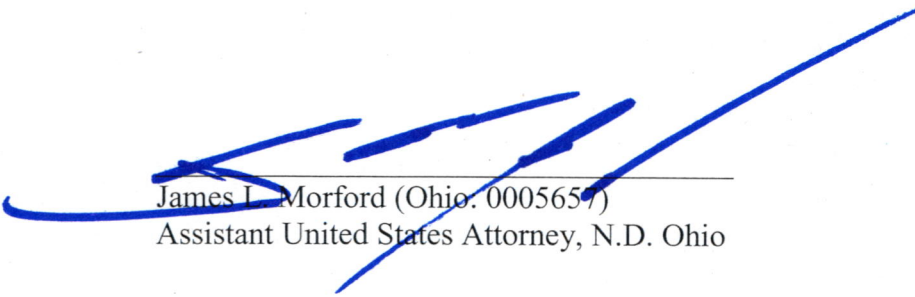


James L. Morford (Ohio: 0005657)  
Assistant United States Attorney, N.D. Ohio  
Carl B. Stokes U.S. Court House  
801 West Superior Avenue, Suite 400  
Cleveland, Ohio 44113  
216.622.3743 / Fax: 216.522.7499  
James.Morford@usdoj.gov

VERIFICATION


STATE OF OHIO                    )  
  ) SS.  
COUNTY OF CUYAHOGA    )

I, James L. Morford, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.

  
James L. Morford (Ohio: 0005657)  
Assistant United States Attorney, N.D. Ohio

Sworn to and subscribed in my presence this 11 day of September, 2018.



  
Notary Public

Anna J. Dudas  
Notary Public, State of Ohio  
My Commission Expires 12-5-2021

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

James L. Morford, Assistant U.S. Attorney - 400 U.S. Court House,  
801 West Superior Avenue, Cleveland, Ohio 44113 - 216.622.3743

**DEFENDANTS**

\$26,023.00 in U.S. Currency seized during the execution of a search  
warrant on April 10, 2018

County of Residence of First Listed Defendant Lorain County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Myron P. Watson, Esq., 1144 Rockefeller Building, 614 West Superior  
Avenue, Cleveland, Ohio 44113 - office: 216.274.1100

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
			<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from Another District (specify)    ☐ 6 Multidistrict Litigation - Transfer    ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

civil forfeiture action under 21 U.S.C. Section 881(a)(6).

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/12/2018

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

I. Civil Categories: (Please check one category only).

1. ☒ General Civil  
2. ☐ Administrative Review/Social Security  
3. ☐ Habeas Corpus Death Penalty

\*If under Title 28, §2255, name the SENTENCING JUDGE: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

II. **RELATED OR REFILED CASES.** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is ☐ **RELATED** to another **PENDING** civil case. This action is ☐ **REFILED** pursuant to LR 3.1.

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

**COUNTY:**

**Corporation** For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

**COUNTY:** Lorain County

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

**COUNTY:**

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

**EASTERN DIVISION**

☐

AKRON

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)

☒

CLEVELAND

(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake,  
Lorain, Medina and Richland)

☐

YOUNGSTOWN

(Counties: Columbiana, Mahoning and Trumbull)

**WESTERN DIVISION**

☐

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry,  
Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca  
VanWert, Williams, Wood and Wyandot)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

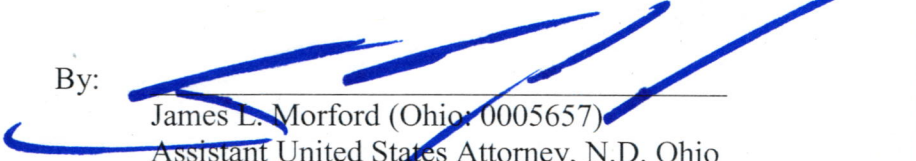
UNITED STATES OF AMERICA,	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	
	)	
\$26,023.00 IN U.S. CURRENCY SEIZED	)	
DURING THE EXECUTION OF A	)	
SEARCH WARRANT ON APRIL 10,	)	
2018,	)	
	)	
Defendant.	)	<b>PRAECIPE</b>

The United States of America respectfully requests that the Clerk of this Court issue the attached Warrant of Arrest *in Rem* to the United States Marshals Service (USMS) pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Respectfully submitted,

Justin E. Herdman  
U.S. Attorney, Northern District of Ohio

By:

  
James L. Morford (Ohio 0005657)  
Assistant United States Attorney, N.D. Ohio  
Carl B. Stokes U.S. Court House  
801 West Superior Avenue, Suite 400  
Cleveland, Ohio 44113  
216.622.3743 / Fax: 216.522.7499  
James.Morford@usdoj.gov

# United States District Court

NORTHERN DISTRICT OF OHIO

WARRANT OF  
ARREST *IN REM*

TO: THE UNITED STATES MARSHAL AND/OR ANY OTHER DULY AUTHORIZED LAW  
ENFORCEMENT OFFICER:

WHEREAS, on September 12, 2018 a Complaint in Forfeiture  
was filed in this Court by Justin E. Herdman, United States Attorney for this District, on behalf of the United  
States, against:

\$26,023.00 in U.S. Currency seized during the execution of a search warrant on April 10, 2018

(CATS Asset ID No.: 18-DEA-640580)

and WHEREAS, the defendant currency is currently in the possession, custody, or control of the United  
States; and,

WHEREAS, Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset  
Forfeiture Actions directs the Clerk of the Court to issue a Warrant of Arrest *In Rem* for the arrest of the  
defendant currency; and,

WHEREAS, Rule G(3)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset  
Forfeiture Actions provides that the Warrant of Arrest *In Rem* must be delivered to a person or organization  
authorized to execute it;

YOU ARE COMMANDED to arrest the defendant currency by serving a copy of this warrant on the  
custodian in whose possession, custody, or control the currency is presently found, and to use whatever means may  
be appropriate to protect and maintain it in your custody until further order of this Court.

YOU ARE FURTHER COMMANDED to file the same in this Court with your return thereon.

WITNESS THE HONORABLE

UNITED STATES DISTRICT JUDGE AT

DATE

September 12, 2018

CLERK

(BY) DEPUTY CLERK

Returnable -60- days after issue.

UNITED STATES MARSHALS SERVICE

DISTRICT

DATE RECEIVED

DATE EXECUTED

U.S. MARSHAL

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF United States of America	COURT CASE NUMBER
DEFENDANT \$26,023.00 in U.S. Currency seized on April 10, 2018	TYPE OF PROCESS Warrant of Arrest in Rem
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <b>SERVE AT</b> { \$26,023.00 in U.S. Currency seized on April 10, 2018 (CATS Asset ID No.: 18-DEA-640580). ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	1
James L. Morford, Assistant U.S. Attorney Office of the United States Attorney, Northern District of Ohio Carl B. Stokes U.S. Court House, 801 West Superior Avenue, Suite 400 Cleveland, Ohio 44113 - office: 216.622.3743	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold Fold  
 \$26,023.00 in U.S. Currency seized during the execution of a search warrant on April 10, 2018 (CATS Asset ID No.: 18-DEA-640580).

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 216.622.3743	DATE 9/12/18
---	---	----------------------------------	-----------------

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
--	--

Address (complete only different than shown above)	Date	Time
	<input type="checkbox"/> am <input type="checkbox"/> pm	

Signature of U.S. Marshal or Deputy	
-------------------------------------	--

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
					<b>\$0.00</b>

REMARKS:

### PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	
	)	
\$26,023.00 IN U.S. CURRENCY SEIZED	)	
DURING THE EXECUTION OF A	)	
SEARCH WARRANT ON APRIL 10,	)	
2018,	)	
	)	
Defendant.	)	<b>NOTICE OF FORFEITURE</b>

To: Matthew Said  
c/o Myron P. Watson, Esq. - Attorney for Matthew Said  
1144 Rockefeller Building  
614 West Superior Avenue  
Cleveland, Ohio 44113

The above-captioned forfeiture action was filed in U.S. District Court on September 12, 2018. A copy of the Complaint in Forfeiture is attached. If you (Matthew Said) claim an interest in the defendant currency, the following applies.

Pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, you are required to file with the Court, and serve upon James L. Morford, plaintiff's attorney, whose address is United States Attorney's Office, 400 United States Court House, 801 West Superior Avenue, Cleveland, Ohio 44113, a verified claim to the defendant currency within 35 days after your receipt of the complaint. The claim shall contain

the information required by Rule G(5) of the said Supplemental Rules. Additionally, you must file and serve an answer to the complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure, within 20 days after the filing of the claim, exclusive of the date of filing. If you fail to do so, judgment will be taken for the relief demanded in the complaint.

Respectfully,

Justin E. Herdman  
U.S. Attorney, Northern District of Ohio

By: 

James L. Morford (Ohio: 0005657)  
Assistant United States Attorney, N.D. Ohio  
Carl B. Stokes U.S. Court House  
801 West Superior Avenue, Suite 400  
Cleveland, Ohio 44113  
216.622.3743 / Fax: 216.522.7499  
James.Morford@usdoj.gov

Date: September 12, 2018